GOVERNMENT OF HYDERABAD

LAW DEPARTMENT

THE HYDERABAD CODE

IN FIVE VOLUMES

VOLUME III

UNREPEALED HYDERABAD ACTS

1358 Fasli—1951 A.D.

(1st OCTOBER, 1948 TO THE END OF DECEMBER, 1951)

PUBLISHED BY AUTHORITY

GOVERNMENT PRESS
HYDERABAD-DN.
1956

PREFACE.

THIS is the first attempt on the part of the Law Department to codify all the laws of the Hyderabad State and to publish them in the form of a Code. This Code contains almost all unrepealed laws of the State from 1305 Fasli, (1895 A. D.) till the end of August, 1956.

The position of Hyderabad State laws had varied from time to time with the political vicissitudes in the State. Prior to the Police Action (1948) the Ruler of the State had full legislative powers. There used to be a Legislative Council, which passed laws, which were promulgated as Acts with the sanction of the Ruler. The authoritative text of these Acts is in Urdu and they were numbered according to the Fasli calendar, which was then in vogue. Their record was fully maintained in the Law Department.

Apart from the above Acts, the Ruler used to promulgate Regulations (Dasturulamals), as and when necessary, without the medium of the Legislative Council, by issuing Firmans at the instance of various administrative Departments, without the scrutiny or knowledge of the Law Department. The record of such Regulations was not maintained in the Law Department, although they have the full force of law. Some laws of this category were nomenclated as "A'ins" and some as "Rules" both of them having the force of law. As no record was available of the laws of this category, it was found very difficult to examine all the old Gazettes and collect them within the span of time allotted for the publication of the Code. An attempt was, however, made to trace out these laws from the Gazettes and a tentative list was prepared, but it cannot be said to be exhaustive. A large number of these laws have spent themselves and have become dead letters, leaving only a few of them still in force. The authoritative text of these laws is in Urdu.

After the Police Action till the commencement of the Constitution, the legislative powers were exercised at first by the Military Governor and after him by the Chief Minister. The laws enacted during this period were called Regulations, and they were numbered according to the Fasli Calendar, but their authoritative text is in English.

After the commencement of the Constitution till the Constitution of the Hyderabad Legislative Assembly in 1952, the legislative powers continued to be exercised by the Chief Minister, subject to the provisions of the Constitution. The laws enacted during this period were called Acts and they were numbered according to the British Calendar. The authoritative text of these Acts is in English.

It will be seen from the above that while the laws of the State enacted before the Police Action are all in Urdu, those enacted after the Police Action are in English. Another peculiar feature is that all the amendments made after the Police Action in the pre-Police Action Urdu laws are in English with the result that the authoritative text of these laws is partly in Urdu and partly in English. In view of this confusing condition of the laws of this State, no attempt was so far made to publish them in the form of a Code. However, in connection with the Reorganisation of States it has now become an urgent necessity to make available to the successor States and the people a collection of the State laws in the form in which they now stand.

This Code is published in five volumes. Volumes I and II contain the laws from 1305 Fasli (1895 A. D.) to the end of 1357 F. (September, 1948) i. e., till the Police Action. In order to facilitate those, who do not understand Urdu, these two Volumes are printed in diglot style, and English translation of only such portion of the text which is Urdu is given under the column headed " Translation ".

The other volumes, namely, Volume III contains the laws from October, 1948 to the end of 1951 , Volume IV the Acts from 1952 to 1954 and Volume V the Acts from 1955 to the end of

August, 1956. There are a few bills which have been passed by the Assembly, some of which are reserved for the assent of the President and the others sent to Rajpramukh for his assent. They will be published in the form of a supplement to this Code.

The enactments included in this edition are printed as modified upto the end of August, 1956. Amending Acts which make textual amendments to the Principal Acts have been omitted, except those which amend the Central Acts or where the amending Act is such that its printing is necessary.

The pages of each volume are numbered separately and they are issued in the style of a loose leaf binder, in order to make it easier to replace the corrected pages and to keep the Volume up-to-date.

The enactments have been printed in chronological order. A chronological table is prefixed to each Volume. An Alphabetical index of Acts included in the Volume is also annexed at the end of each Volume.

In view of the urgency occasioned due to the States Reorganisation and the consequent trifurcation of Hyderabad State, this edition consisting of five volumes had to be brought out within a period of less than three months. Any shortcomings in the execution of the work will, therefore, have to be viewed in this context and also keeping in view the magnitude and the nature of work involved.

Due to the paucity of time, a part of this work had to be done in private undertakings. This Department takes this opportunity to thank the Government Press and other private concerns who have contributed to the quick completion of the work and also the staff of the Law Department including Translation Section who have been entrusted with this work.

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Secretary to Government,
Law Department.

Hyderabad–Deccan,
4th September, 1956.

Printed at
Avon Printing Works, Esamian Bazar,
Hyderabad-Dn.

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